

C. Remarks

The claims are 1, 2, 4, and 9, with claim 1 being the sole independent claim.

Non-elected claims 3, 5-8, and 10 have been cancelled without prejudice or disclaimer.

Claims 1 and 2 have been amended to clarify that “m” represents an integer from 1-8.

Claims 2, 4, and 9 have been amended to resolve various informalities. No new matter has been added. Reconsideration of the present claims is respectfully requested.

Claims 1, 2, 4, and 9 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-4 and 6 of co-pending Application No. 11/165,357. This double patenting rejection is based on the alleged anticipation of the presently claimed monomer unit of chemical formula (1) by the monomer unit of chemical formula (1) in the ‘357 application when l is 0 and Z_{1a} is nothing. The grounds of rejection are respectfully traversed, particularly in view of the above amendment.

The present claims have been amended to specify that m in the monomer of chemical formula (1) is not zero, i.e., the C=O group is separated from the main chain by at least one methylene group. The claims in the ‘357 application specifically state that when l represents zero and Z_{1a} represents nothing, the C=O group is directly bonded to the main chain. Thus, the present claims are not anticipated by the claims in the ‘357 application and there is no overlap. Therefore, withdrawal of the rejection and expedient passage of the application to issue are respectfully requested.

It is believed that all outstanding issues in this application have been resolved. Should the Examiner disagree, the Examiner is requested to contact Applicants' undersigned representative by telephone prior to issuing a written communication.

This Amendment should be entered, because it places the case in allowable form and fully complies with the requirements set forth in 37 C.F.R. § 1.116.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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